S.B. CIVIL WRIT PETITION NO.7474/2007

Date of order : 25.9.2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri S.C. Mittal for the petitioner.

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The petitioner has challenged the notice issued to him by SDO, Kishangarh. The petitioner has approached this Court with the grievance that SDO, Kishangarh has verbally asked the petitioner to remove his possession from the disputed land or else the same would be demolished.

Shri S.C. Mittal, learned counsel for the petitioner has argued that the petitioner was alloted this land by the Thikana way back in the year 1955. It was argued that the petitioner has got electricity and water connection in the said land. Tehsildar

Kishangarh had on 19.2.1986 issued anotice to the petitioner under Section 91 but no action thereafter was taken. In the circumstances, he has approached this Court that mandamus be issued upon the respondents directing them not to interfere with the possession of the petitioner and allow the petitioner to do his business of tea stall.

Having heard learned counsel for the petitioner, I do not deem it appropriate to entertain the writ petition, for a dispute of this case could be agitated by the petitioner in a civil suit or before the revenue authorities, whiever may be available to him as per law.

With the above observation, the writ petition is dismissed being not maintainable.

(MOHAMMAD RAFIQ), J.

Skant/-